

## **REMARKS**

Basis for the amendment to claim 1 may be found in original claim 12. The amendment to claim 4 finds basis at page 9 line 8. Basis for the new Figure 6 and Figure 7 may be found in the specification at page 10 lines 25-28 and page 11 lines 1-12. Basis for new Figures 8 and 9 may be found at page 12 lines 17-27, and in claim 17. Basis for new Figure 10 may be found in the specification at page 3, lines 3-5.

In paragraph 1 the drawings are objected to as not showing all features of the invention of claims 1, 10- 25, and 27. Filed with this application are replacement drawing sheets showing all features of the invention. The Examiner is respectfully requested to approve entry of the new drawing sheets. They do not disclose any new matter as they illustrate with figures the words of the specification and the claims. Therefore, it is respectfully requested that the objection be reconsidered and withdrawn.

In paragraph 2 of the Office Action the drawings are objected to as failing to comply with 37 CFR 1.84 because they include the following reference characters not mentioned in the description: number 36 in Figure 4 and number 69 in Figure 5. It is respectfully requested that this objection be reconsidered and withdrawn as the description numbers have been inserted in the specification at page 9 and page 14 respectively.

In paragraph 3 of the Office Action the Examiner objects to numerical errors at page 4 lines 26 and 29, page 5 line 5, page 6 line 18, page 10 line 15, and page 12 lines 14, 17, and 25. The applicant has corrected the grammatical errors indicated in all instances except at page 5 line 5 where it is not clear to the applicant what is the error. The applicant would be pleased to correct any specific indications of error pointed out by the Examiner. It is respectfully requested that the objection be reconsidered and withdrawn or a more definite indication of objectionable subject matter be given.

In paragraph 4 claims 4 and 26 stand objected to because of the following formalities: that a stiffness and density claimed in claims 4 and 26 respectively lack units of measure. The applicant has corrected claim 4. Basis for the correction is at page nine line eight of the specification. With respect to the

Claim 26 basis limitation, this is a dimensionless number and is correct as it stands.

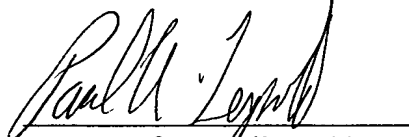
In paragraph 6 claims 1, 6, 10, 11, 13 and 18 stand rejected under 35 USC 102 as being anticipated by Legg (874). The Examiner states that with respect to claim 1, Legg discloses a timing device comprising an indicator device and a detector device wherein the indicator device comprises a light-emissive element and a patterning layer. The Examiner also points out portions of Legg in relation to claims 6, 10, 11, 12, and 18. This rejection is respectfully traversed. The claims of the instant invention are limited to a timing device comprising a detector and an indicator device. The device of the instant invention utilizes an indicator device that is the combination of a light emitting element and a patterning layer. Such a device is not present in Legg. Legg requires a light, a sensor and an indicator device that is provided with a hole for the light to pass through. In invention as claimed is a detector and an indicator that is the combination of light emitter and pattern. Therefore, as these features of claim 1 are not disclosed by Legg, it is respectfully urged that claim 1 and claims dependent to claim 1 are also not anticipated. It is respectfully requested that the rejection as anticipated by Legg be reconsidered and withdrawn.

In paragraph 7 of the Office Action claims 2-5, 7-9, 12, 14-16, 19-29 stand rejected under 35 USC 103 as being unpatentable over Legg et al. (874). The Examiner states that selecting a specific type of the emissive member would be obvious to one of ordinary skill in the art. The Examiner further states that indication of stiffness, bending radius and angles of view would be obvious to one of ordinary skill in the art for optimal performance. With regards to claims 7 and 8 the Examiner states that selecting a particular method of emitting light would have been obvious to one of ordinary skill in the art. With regard to claims 9, 12 and 14 the Examiner also states that selecting optics elements, relative movement, and a particular light emitting element would be obvious to one of ordinary skill in the art. The Examiner states with regard to claims 4, 15, 16, and 19 that Legg fails to specify an indicator element when the shape of the element is arcuate or tubular, but it would be obvious to select by one of ordinary skill in the art. This rejection is respectfully traversed. As urged above, the claimed invention utilizes an indicator device that comprises a light-emissive element combined with a patterning layer. Such an element is not disclosed or suggested by Legg.

Therefore, it is respectfully urged that this invention is not obvious over Legg. Reconsideration and withdrawal of the rejection is respectfully requested.

Therefore, it is requested that the objections to the drawings, objections because of informalities, rejection under 35 USC 102, and rejection under 35 USC 103 be reconsidered and withdrawn and that an early Notice of Allowance be issued in this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul A. Leipold", is written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.